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                                      UNITED STATES DISTRICT COURT
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                                    NORTHERN DISTRICT OF CALIFORNIA
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             CLARK WALKER,
                                                            NOS. C05-2800 TEH
                                                                  C03-3723 TEH
         22
                         Plaintiff,
                                                            STIPULATION AND (PROPOSED)
         23
                                                            ORDER TO ENLARGE EXPERT
             v.
                                                            WITNESS DISCOVERY CUT-OFF
         24
             CONTRA COSTA COUNTY, KEITH
             RICHTER, and RICHARD GRACE,
         25
         26
                         Defendants.
         27
             AND RELATED CASE.
         28
1120.02P230
                                                      -1-
                        STIPULATION AND [PROPOSED] ORDER (C05-2800/C03-3723 TEH)
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- 1. Plaintiff CLARK WALKER ("Chief Walker") and Defendants CONTRA COSTA COUNTY, KEITH RICHTER, and RICHARD GRACE, by and through their respective counsel, jointly apply for an Order, pursuant to Civil Local Rule 6-2, to enlarge expert witness discovery cut-off from October 24, 2006 to November 10, 2006 for the sole purpose of taking the depositions of Dr. Mark D. Nathan and Ronn Coleman.
- 2. The parties have been diligent in conducting expert witness discovery. In the first action, Plaintiff disclosed five (5) expert witnesses and one rebuttal expert witness, who have all been deposed by Defendants. Defendants disclosed also disclosed five (5) expert witnesses, one of whom was Ronn Coleman. Defendants subsequently withdrew one expert. Plaintiff has deposed the remaining four (4) expert witnesses. Plaintiff deposed Mr. Coleman on January 6, 2006.
- 3. In the related case, Plaintiff disclosed but withdrew one (1) expert witness. On September 28, 2006, Defendants disclosed three (3) expert witnesses, one of whom was disclosed by Plaintiff in the first action. Ronn Coleman was disclosed again in the related case. On October 20, 2006, Defendants served expert witness reports of Dr. Nathan and Ronn Coleman.
- 4. Good cause exists to enlarge the date to expert witness discovery cut-off, because defense counsel has confirmed that neither Dr. Nathan or Ronn Coleman are available prior to expert witness discovery dut-off on October 24, 2006. The parties request an extension of time to permit Plaintiff to depose Dr. Nathan and Ronn Coleman based on their expert reports served on October 20, 2006. The parties are continuing to meet and confer regarding the deposition dates.
- 5. Therefore, the parties respectfully request that expert witness discovery cutoff be enlarged from October 24, 2006 to November 10, 2006, solely to permit Plaintiff to depose Dr. Nathan and Ronn Coleman.

DATED: October 24, 2006

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/s/

OK-HEE SHIM, Attorneys for Plaintiff CLARK WALKER

PRICE AND ASSOCIATES

DATED: October 24, 2006 SILVANO B. MARCHESI, County Counsel

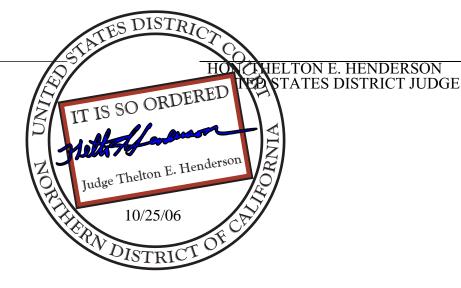
/s/

BERNARD L. KNAPP, Deputy County Counsel, Attorneys for Defendants CONTRA COSTA COUNTY, KEITH RICHTER, and RICHARD GRACE

## **ORDER**

Pursuant to the foregoing Stipulation and good cause appearing therefor, **IT IS HEREBY ORDERED** that expert witness discovery cut-off for the sole purpose of taking the depositions of Dr. Nathan and Ronn Coleman be enlarged from October 24, 2006 to November 10, 2006. NO OTHER TRIAL OR PRETRIAL DEADLINES OR DATES SHALL BE MODIFIED OR CHANGED AS A RESULT OF THIS ORDER.

Date:



1120.02P230